

AFFIDAVIT OF SERVICE THROUGH THE SECRETARY OF STATE

Index # 12civ0149

Purchased/Filed: January 9, 2012

STATE OF NEW YORK

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT

Yaakov Katz, individually and on behalf of the class

Plaintiff

against

Planet Smoothie Franchises, LLC, et al.

Defendant

STATE OF NEW YORK
COUNTY OF ALBANY

SS.:

Heather Morigerato, being duly sworn, deposes and says: deponent is over the age of eighteen (18) years; that on January 13, 2012, at 11:45am, at the office of the Secretary of State of the State of New York in the City of Albany, New York deponent served the annexed Summons in a Civil Action and Class Action Complaint Jury Trial Demanded

on

Planet Smoothie Franchises, LLC, the
Defendant in this action, by delivering to and leaving with Donna Christie, AUTHORIZED AGENT in the Office of the Secretary of State, of the State of New York, personally at the Office of the Secretary of State of the State of New York, 2 true copies thereof and that at the time of making such service, deponent paid said Secretary of State a fee of 40 dollars; That said service was made pursuant to Section 303 Limited Liability Company Law.

Deponent further says that deponent knew the person so served as aforesaid to be the agent in the Office of the Secretary of State of the State of New York, duly authorized to accept such service on behalf of said defendant.

Description of the person served: Approx. Age: 41 Approx. Wt: 145 Approx. Ht: 5'5"

Color of skin: White Hair color: Blonde Sex: Female Other:

Sworn to before me on this

18th day of January, 2012

DONNA M. TIDINGS
NOTARY PUBLIC, State of New York
No. 01T14898570, Qualified in Albany County
Commission Expires June 15, 2015

Heather Morigerato

Heather Morigerato
Attny's File No.
Invoice•Work Order # SP1200447

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